

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SHERWOOD L. HARD,

Petitioner,

v.

Case No. 07-C-1034

JEFFREY P. ENDICOTT,

Respondent.

ORDER

On November 21, 2007, the petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petitioner was convicted of second-degree sexual assault of a child. The petitioner has filed a motion for leave to file exhibits and a motion to amend or supplement his petition. The petitioner has also moved for appointment of counsel.

The court will grant the petitioner leave to amend his petition and to supplement the petition with additional exhibits. The petitioner shall file the amended petition within twenty (20) days from the date of this order. After the petitioner files an amended petition, the court will screen the petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The court will analyze whether the petitioner has exhausted available state remedies, avoided procedural default and statute of limitations bars, and set forth cognizable constitutional or federal law claims. In his amended petition, the petitioner shall describe any petitions for review that he filed with the Wisconsin Supreme Court and attach any decision issued by the Wisconsin Supreme Court.

If the petitioner has not filed a petition for review with the Wisconsin Supreme Court regarding his underlying conviction, he shall explain the reasons for his failure to do so. Additionally, the petitioner shall demonstrate why he believes that his petition is timely filed or explain why the court should excuse his untimely filing.

The court will deny the petitioner's motion for appointment of counsel. Habeas petitioners have no right to appointed counsel, *see Dellenbach v. Hanks*, 76 F.3d 820, 823 (7th Cir. 1996), and the petitioner has not demonstrated an inability to obtain a lawyer on his own or that he is incapable of representing himself given the difficulty of the case. *See id.*

Accordingly,

IT IS ORDERED that the petitioner's motion for appointment of counsel (Docket #4) be and the same is hereby **DENIED**;

IT IS FURTHER ORDERED that the petitioner's motions for leave to file exhibits (Docket #6) and to amend or supplement his petition (Docket #7) be and the same are hereby **GRANTED**; the petitioner shall file an amended petition within twenty (20) days from the date of this order consistent with the court's instructions.

Dated at Milwaukee, Wisconsin, this 16th day of January, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge